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16 Attorneys for WAYMO LLC

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

19 20 21 22 23 24 25 26 27 28	<p>WAYMO LLC, Plaintiff, vs. UBER TECHNOLOGIES, INC.; OTTOMOTTO LLC; OTTO TRUCKING LLC, Defendants.</p> <p>CASE NO. 3:17-cv-00939-WHA</p> <p>DECLARATION OF JEFF NARDINELLI IN SUPPORT OF PLAINTIFF WAYMO LLC'S MOTION IN LIMINE NO. 14</p>
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1 I, Jeffrey W. Nardinelli, hereby declare as follows.

2 1. I am a member of the bar of the State of California and an associate with Quinn
3 Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC (“Waymo”). I make this
4 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and
5 would testify competently as follows.

6 2. Attached as Exhibit 1 is a true and correct copy of transcript excerpts from the
7 Video-Recorded Deposition Of Anthony Levandowski, taken on August 22, 2017 and filed under
8 seal.

9 3. Attached as Exhibit 2 is a true and correct copy of transcript excerpts from Otto
10 Trucking LLC's Videotaped 30(B)(6) Deposition of Pierre-Yves Droz, taken on August 22, 2017
11 and filed under seal.

12 4. Attached as Exhibit 3 is a true and correct copy of an email from Uber to its
13 executives and attorneys and Anthony Levandowski – i.e. [REDACTED] – inviting them to
14 discuss litigation strategy as late as May 3, 2017 – more than a month *after* Levandowski pled the
15 Fifth Amendment and purportedly refused to cooperate with Uber’s investigation.

16 I declare under penalty of perjury under the laws of the State of California that the
17 foregoing is true and correct.

18 DATED: September 13, 2017

/s Jeff Nardinelli

Jeff Nardinelli

21 **SIGNATURE ATTESTATION**

22 Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the
23 filing of this document has been obtained from Jeff Nardinelli.
24

25 /s/ Charles K. Verhoeven
26 Charles K. Verhoeven